**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**And**

**THE HON'BLE MR JUSTICE RAMESH RANGANATHAN**

WRIT PETITION NO.19775 of 2006

29th November 2006

Between:

M.Charles, S/o.M.Mark, 46 years, Junior Assistant, R & B Division, Kurnool, Kurnool District.

**...PETITIONER**

AND

1. The Superintending Engineer, R & B Circle, Kurnool, Kurnool District.
2. The Engineer-in-Chief, R & B Department, Erramanzil, Hyderabad.

**...RESPONDENTS**

**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**And**

**THE HON'BLE MR JUSTICE RAMESH RANGANATHAN**

WRIT PETITION NO.19775 of 2006

**ORDER:** (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard both the sides. At their request, the Writ Petition itself is taken up for admission at the admission stage.

The petitioner filed this Writ Petition, *inter alia*, seeking to assail the orders passed finally in a vacate application against the interim orders granted earlier by the Andhra Pradesh Administrative Tribunal, Hyderabad, pending the substantive application filed under Section under Section 19 of the Administrative Tribunals Act, 1985. Taking note of the fact that the claim of the petitioner is wholly unsustainable since it does not fall within the category of the promotion, therefore, there is *prima facie* case and the interim order is vacated. Hence, the Writ Petition.

Having heard on either side and on perusal of the material available on record, we are of the opinion that since all these questions are to be gone into in the main application, it is not necessary to consider the same at this stage.

Accordingly, the Writ Petition is dismissed leaving it open to the petitioner to raise all such objections and take further steps in the main O.A. and to implead all the other promotees. No costs.

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**(B.PRAKASH RAO, J)**

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**(RAMESH RANGANATHAN, J)**

29th November 2006
RRB

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